

REMARKS

STATUS OF CLAIMS

Claims 1-6 are now pending in this application.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 102 AND § 103

I. Claims 1, 2 4 and 5 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Okada (US 2002/0047904).

The rejections are respectfully traversed.

Applicant notes in the Background of the Invention portion of the present application that when a digital camera carries out distortion correction processes, it does it for each of the barrel distortion on the wide-angle side and the pincushion distortion on the telephoto side. This results in a long processing time for distortion correction, which adversely affects a reduction in the time interval between exposures (see page 2, lines 4-10 of the present application).

The present invention address the problem of the prior art and provides a digital camera having circuitry that shortens processing time to correct distortion within the digital camera. Consequently, performing correction of distortion in the digital camera does not adversely affect a reduction in the time interval between exposures.

Both independent claims 1 and 4 are directed to "A digital camera" that comprises a signal processing circuit for subjecting the image data (generated by the digital camera) to a distortion correction process. Independent claim 1 recites that the signal processing circuit

corrects the optical distortion only on the telephoto side while independent claim 4 recites that the signal processing circuit corrects the optical distortion only on the wide-angle side.

Okada (US 2002/0047904) discloses simply performing a distortion aberration correcting process (see paragraphs [0141] - [0142]), but does not disclose that a distortion correction process is performed only on a telephoto side when a zoom lens having high optical distortion on the telephoto side as compared with on a wide-angle side is employed, as recited in claim 1, or a distortion correction process is performed only on a wide-angle side when a zoom lens having high optical distortion on the wide-angle side as compared with on a telephoto side is employed, as recited in claim 4. As noted, these features of the present invention have an advantage to shorten the processing time of the distortion correction process, as described in the present specification.

The Examiner also refers to image processing portion 13 of the digital camera 10 of Okada (see Fig. 4) as the signal processing circuit for subjecting the image data (generated by the digital camera) to a distortion correction process. However, this is incorrect, as it is clear in Okada that the photographed image data is transmitted to a (separate) image processing apparatus of an image station 50, and it is this (separate) image processing apparatus that performs the process depicted in the flow diagram of Fig. 16 of Okada (see paragraphs [0135] and [0136]). While Okada discloses that the (separate) image processing apparatus can be at a remote image station 50, a distribution center, or a retail store, there is no disclosure or suggestion that the processing performed by the (separate) image processing apparatus is performed by processing circuitry within the digital camera itself. In the Background of the Invention portion of the present application, Applicant notes that it is already known to perform

correcting distortion by use of a separate image processing system such as a PC after photography, which corresponds to what is disclosed in Okada.

Thus, anticipation, under 35 U.S.C. § 102 has not been established as each element of independent claims 1 and 4 is not found (either expressly described or under principles of inherency) in Okada. Consequently, independent claims 1 and 4, as well as dependent claims 2 and 5, are patentable over Okada.

II. Claims 3 and 6 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Okada in view of Matama (US 2005/0111110), relied upon by the Examiner as disclosing lens aberration processing wherein, when the lens aberration is large, the processing is performed and otherwise, the processing is skipped (paragraph [0100]).

However, Matama does not remedy the above noted deficiency of Okada. Consequently, claims 3 and 6, depending from independent claims 1 and 4 respectively, are patentable over Okada, even when considered in view of Matama.

Furthermore, Matama issued May 26, 2005 while the present application was filed October 23, 2003 (they were co-pending). Consequently, Matama qualifies as prior art under 35 U.S.C. § 102(e). However, the present application is assigned to FUJI PHOTO FILM CO., LTD. (See Reel 014635 Frame 0065), as is Matama (see item number 73 on the front of Matama. Consequently, under 35 U.S.C. § 103(c):

Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall **not** preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by

the same person or subject to an obligation of assignment to the same person
(emphasis added).

Thus, Matama may not be used reject any of the present claims under 35 U.S.C. § 103(a).

III. In view of the above, the allowance of claims 1-6 is respectfully solicited.

CONCLUSION

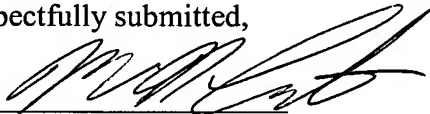
In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Edward J. Wise (Reg. No. 34,523) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: May 22, 2007

Respectfully submitted,

By 

Michael R. Cammarata

Registration No.: 39,491

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant